

State of California
CALIFORNIA HORSE RACING BOARD
* * *

Official Ruling
of the
Board of Stewards

Sonoma County Fair
(Association)

August 5, 2006
(Date)

RULING NO. 23

In the matter of the horse **LOVING CREEK**, winner of the first race at Bay Meadows Race Course on February 5, 2006, which tested at a TCO₂ level in excess of the regulatory level of 37 millimoles, a violation of California Horse Racing Board rule 1843.6 (Total Carbon Dioxide Testing – Class III violation), **LOVING CREEK** is disqualified from first to unplaced pursuant to California Horse Racing Board rule 1859.5 (Disqualification Upon Positive Test Finding).

It is further ordered that all purse monies (\$4,950.00) earned or awarded to owners Jon Kelly and Jim Wiltz, trainer Armando Lage and jockey Adan Landeros be returned to the paymaster of purses for redistribution pursuant to California Horse Racing Board rule 1760 (Purse Award or Prize to be Withheld).

The revised order of finish is as follows:

- 1st – CHERYL THE LEGEND
- 2nd – MARKI E'S CHARM
- 3rd – NIPSY'S CLASSIC
- 4th – HOW DO SLEWY KNOW

All records are ordered changed to reflect this ruling. In accordance with California Horse Racing Board rule #1956 (Race Declared Official) this ruling shall not affect the pari-mutuel payoffs.

CASE: 06GG009

Steward

Steward

Steward